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Robert J. Bengtsson

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EXAMINER

STOKELY-COLLINS, JASMINE N

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/628,745	Applicant(s) BENGTTSSON ET AL.	
	Examiner JASMINE STOKELY-COLLINS	Art Unit 2423	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 8-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1, 8, and 18-20 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues on page 7 that Furon does not teach image editing software that adds new image content, as required by amended claims 1 and 18. The examiner agrees; However, Furon does teach image editing software (image processing program described in sect. 0019) installed on a console similar to Brady's in-flight entertainment system taught in fig. 1b. Furon's console is a "mobile photographic kiosk" (sect. 0018) which allows a user to perform actions typically done at a fixed console, such as processing and transforming uploaded digital images. Furon does not teach adding new image content (claim 1), or more specifically adding image content in the form of text (claim 21) to the digital images. However, Frey teaches a photo kiosk which has a feature to add a banner (i.e. text) to images stored in the kiosk's memory (col. 4 ll. 1-14). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the ability to add image content (specifically, text) to the mobile kiosk taught by Furon for the benefit of sending messages to the photo's intended recipient (i.e. col. 4 ll. 11-14 teach banners "Wishing you were here" and "With love from") or providing captions to identify the picture (i.e. col. 4 ll. 11-14 teach banners "We climbed Pikes Peak" and "We saw Old Faithful").

On page 9, applicant argues that DeLorme and Brunner do not teach image editing software that allows a passenger to add new image content to images supplied

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by an aircraft camera, as required by amended claims 8, 19, and 20. The examiner agrees; Brunner teaches mounting a camera on the exterior of an aircraft (abstract), where the camera may be a still-photography camera (sect. 0021). He teaches providing the images captured with the camera to passengers by connecting the camera system to an in-cabin display. The base reference, Brady, distributes input from cameras to passengers (col. 12 ll. 44-54) and it would have been obvious to modify Brady's system to allow images from a camera mounted on the exterior of the aircraft to Brady's passengers via Brady's in-cabin seat displays for the benefit of providing further entertainment for the passengers (Brunner sect. 0002). Furon teaches a mobile kiosk for use in a vehicle (such as Brady's aircraft) that receives input from various photo sources, such as **a camera**, flash card, cell phone, or image database/server (sect. 0019-0020) and allows a user to edit images with an image processing program (image editing software). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Furon's mobile kiosk in the vehicle (aircraft) taught by Brady in view of Furon for the benefit of allowing passengers to save time by organizing, editing, and ordering photographs during travel. Although the references teach, in combination, a mobile photo kiosk on a vehicle (aircraft) and an exterior aircraft camera being an input for providing photos to passengers (and therefore, it serves as a camera source for the mobile kiosk), they do not teach the kiosk adding image content to the supplied images. However, Frey teaches a photo kiosk which has a feature to add a banner (i.e. text) to images stored in the kiosk's memory (col. 4 ll. 1-14). It would have been obvious to one of ordinary skill in the art at the time the

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invention was made to include the ability to add image content (specifically, text) to the mobile kiosk taught by Furon for the benefit of sending messages to the photo's intended recipient (i.e. col. 4 ll. 11-14 teach banners "Wishing you were here" and "With love from") or providing captions to identify the picture (i.e. col. 4 ll. 11-14 teach banners "We climbed Pikes Peak" and "We saw Old Faithful").

2. Applicant's arguments filed on 6/2/2010 have been fully considered but they are not persuasive.

Applicant argues on pages 8-9 that the examiner's motivation for modifying Brady's aircraft with Furon's mobile kiosk is not applicable because an aircraft is not going to fly to a selected kiosk. The examiner disagrees; Furon's invention is intended to save a traveler time by processing images during travel and sending an order to print those pictures to a conveniently located fixed kiosk. Although an airplane is not going to make unscheduled stops, the user does not have to retrieve the pictures along the flight route in order to save time. The user may select any kiosk along a user-chosen route ("preferred route chosen by the user, pg. 2 sect. 0018). Kiosks are strategically placed in "preferred public passing places" such as car parking lots or service stations. The kiosk could be located at a car parking lot for the airport. Alternatively, the user could pick up the image order from a kiosk on the way from the arrival airport to their final destination. Whether the kiosk was located at the airport, or on a path from the arrival airport to the traveler's ultimate destination, the rationale of creating an image order en route and having the order printed and waiting at a kiosk in order to save time (as

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opposed to generating and processing the order after arrival at the fixed kiosk and waiting for printing) applies.

Claim Rejections - 35 USC § 103

3. Claims 1-6, 14-15 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brady Jr. et al (US 7,114,171 B2) in view of Furon et al (US 2002/0078458 A1) and Frey et al (US 6,369,908 B1).

Regarding claim 1, Brady teaches a vehicle seat for supporting a passenger of a vehicle (figure 1b), said seat comprising:
a seat frame (figure 1b);
a video monitor mounted on the seat frame (figure 1b element 650); and
a digital processor (LRU) for processing a digital input for display on the video monitor (column 9 lines 39-42).

Brady does not teach image editing software for allowing a passenger to add new image content to images from the digital input without having to connect an external image processing device.

Furon teaches a “mobile photographic kiosk” (sect. 0018) that is part of a vehicle (pg. 2 sect. 0017), such as the aircraft taught by Brady, which allows a user to perform actions typically done at a fixed console, such as processing and transforming uploaded digital images. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the

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capabilities of Furon's multimedia console in the in-flight entertainment system taught by Brady in order to allow a user to organize and edit photos while traveling in a vehicle for the benefit of saving the user time and optimizing the ordering process for image work (pg. 1 sect. 0004).

Furon does not teach his console adds new image content to images from digital input..

Frey teaches a photo kiosk which has a feature to add a banner (i.e. text) to images stored in the kiosk's memory (col. 4 ll. 1-14). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the ability to add image content (specifically, text) to the mobile kiosk taught by Furon for the benefit of sending messages to the photo's intended recipient (i.e. col. 4 ll. 11-14 teach banners "Wishing you were here" and "With love from") or providing captions to identify the picture (i.e. col. 4 ll. 11-14 teach banners "We climbed Pikes Peak" and "We saw Old Faithful").

Regarding claim 2, when read in light of claim 1, Brady further teaches the video monitor is mounted on a back of the seat back for viewing from behind the vehicle seat (figure 1b element 650).

Regarding claim 3, when read in light of claim 1, Brady further teaches the digital processor includes an interface for connecting the processor to an external data source (column 15 lines 32-45).

Regarding claim 4, when read in light of claim 1, Brady in view of Furon and Frey further teaches the processor includes an interface for accepting digital images from a passenger (Furon pg. 2 sect. 0019) and images from the passenger can be edited (by zooming, rotation, etc).

Regarding claim 5, when read in light of claim 3, Brady further teaches the interface includes a universal serial bus (USB) port (column 15 lines 32-35).

Regarding claim 6, when read in light of claim 1, Brady in view of Furon and Frey teaches the vehicle seat of claim 1. Brady in view of Furon and Frey teaches said processor is configured to generate a digital travel log from the one or more images. Frey teaches using banners to document the places depicted in the pictures (see col. 4 ll. 1-14 where Frey teaches adding banners such as “We climbed Pikes Peak” and “We saw Old Faithful”). This makes the collection of images into a digital album which logs the user’s travels (i.e. a digital travel log).

Regarding claim 14, Brady in view of Furon teaches a vehicle seat in accordance with Claim 1 as analyzed above.

Brady in view of Furon and Frey teaches said processor is operatively connectable to a printer for printing images (Furon, in sect 0023 teaches the

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mobile kiosk may communicate a work order to a mobile kiosk for printing onto paper).

Regarding claim 15, Brady further teaches said processor (LRU) is operatively connectable to a camera remote from the seat for providing digital input to the processor (column 11 lines 32-46 teaches a network server program controlling security cameras, where the network server program coupled to the camera is shown as part of the LRU in figure 1a).

Regarding claim 18, Brady teaches an aircraft (abstract) comprising:
a fuselage having a passenger cabin (figure 2 suggests at least 2 passengers, column 5 lines 33-35 disclose a cabin);
a plurality of passenger seats mounted within the cabin (figure 1b), at least one of the of seats comprising:
a seat frame (figure 1b);
a video monitor mounted on the seat frame (figure 1b element 650); and
a digital processor (LRU)_operatively connected to the video monitor for processing a digital input for display as an image on the video monitor (column 9 lines 39-42).

Brady does not teach image editing software for allowing a passenger to add new image content to images from the digital input

Furon teaches a “mobile photographic kiosk” (sect. 0018) that is part of a vehicle (pg. 2 sect. 0017), such as the aircraft taught by Brady, which allows a user to perform actions typically done at a fixed console, such as processing and transforming uploaded digital images. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the capabilities of Furon’s multimedia console in the in-flight entertainment system taught by Brady in order to allow a user to organize and edit photos while traveling in a vehicle for the benefit of saving the user time and optimizing the ordering process for image work (pg. 1 sect. 0004).

Furon does not teach his console adds new image content to images from digital input..

Frey teaches a photo kiosk which has a feature to add a banner (i.e. text) to images stored in the kiosk’s memory (col. 4 ll. 1-14). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the ability to add image content (specifically, text) to the mobile kiosk taught by Furon for the benefit of sending messages to the photo’s intended recipient (i.e. col. 4 ll. 11-14 teach banners “Wishing you were here” and “With love from”) or providing captions to identify the picture (i.e. col. 4 ll. 11-14 teach banners “We climbed Pikes Peak” and “We saw Old Faithful”).

4. Claims 8, 16, and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brady Jr. et al (US 7,114,171 B2) in view of Furon et al (US

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2002/0078458 A1) and Frey et al (US 6,369,908 B1), and further in view of Brunner JR (US 2002/0067424)

Regarding claim 8, when read in light of claim 1, Brady in view of Furon, and Frey teach the vehicle seat of claim 1, whereby the digital processor allows a passenger to add new image content to digital images taken by a camera (Furon teaches a connected camera may provide input to the mobile kiosk in sect. 0019, and Frey teaches incorporating a feature to add text to images at a kiosk in col. 4 ll. 1-14).

Brady in view of Furon and Frey does not teach a digital camera include images captured from a digital camera mounted on an outer surface of an aircraft provides images to the digital input.

Brunner teaches a camera mounted on the outside of an aircraft that can be connected to an in-cabin display, such as the displays taught by Brady (i.e. provides images to the digital input) for passenger entertainment (abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Brunner's teaching of an aircraft-mounted camera system for the benefit of providing in flight entertainment to cabin passengers by allowing them to have the same view as the pilot (pg. 1 sect. 0002). It would further be obvious to one of ordinary skill in the art to allow Furon's and Frey's software to use the camera output supplied to the passenger for the benefit of utilizing the images from all available digital photo sources.

Regarding claim 16, Brady in view of Furon and Frey teaches a vehicle seat in accordance with Claim 15 as analyzed above.

Brady in view of Furon does not teach the camera is mounted on an exterior surface of the vehicle.

Brunner teaches a camera mounted on the outside of an aircraft that can be connected to an in-cabin display, such as the displays taught by Brady (i.e. provides images to the digital input) for passenger entertainment (abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Brunner's teaching of an aircraft-mounted camera system for the benefit of providing in flight entertainment to cabin passengers by allowing them to have the same view as the pilot (pg. 1 sect. 0002).

Regarding claim 19, when read in light of claim 18, Brady in view of Furon and Frey teaches the aircraft of claim 18, whereby the digital processor allows a passenger to add content to digital images accessible by the processor.

Brady in view of Furon and Frey does not teach a digital camera for viewing an environment surrounding the aircraft, wherein the processor receives digital images from the digital camera.

Brunner teaches a camera mounted on the outside of an aircraft that can be connected to an in-cabin display (i.e. a camera for viewing an environment

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surrounding the aircraft), such as the displays taught by Brady (i.e. the processor receives digital images from the digital camera) for passenger entertainment (abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Brunner's teaching of an aircraft-mounted camera system for the benefit of providing in flight entertainment to cabin passengers by allowing them to have the same view as the pilot (pg. 1 sect. 0002). It would further be obvious to one of ordinary skill in the art to allow Furon's and Frey's software to use the camera output supplied to the passenger for the benefit of utilizing the images from all available digital photo sources.

Regarding claim 20, when read in light of claim 18, Brady in view of Furon and Frey teaches the vehicle seat of claim 18.

Regarding limitation "the image editing software allows mixing personal images with content provided by the aircraft", Furon teaches accessing images from various sources in sect. 0019.

Brunner teaches a camera mounted on the outside of an aircraft that can be connected to an in-cabin display for passenger entertainment (abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Brunner's teaching of an aircraft-mounted camera system for the benefit of providing in flight entertainment to cabin passengers by allowing them to have the same view as the pilot (pg. 1 sect. 0002). It would further be obvious to one of ordinary skill in the art to allow

Furon's and Frey's software to use the camera output supplied to the passenger for the benefit of utilizing the images from all available digital photo sources.

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brady Jr. et al (US 7,114,171 B2) in view of Furon et al (US 2002/0078458 A1, Frey et al (US 6,369,908 B1), and further in view of Huang et al (US 5,696,995).

Regarding claim 9, when read in light of claim 6, Brady in view of Furon and Frey teach the vehicle seat of claim 6.

Brady in view of Furon, Frey and DeLorme does not teach said processor is configured to merge the one or more images into one digital image.

Although the image editing software taught by Furon and Frey does not teach a photo kiosk feature to merge images, photo kiosk software with the ability to merge images was known prior to applicant's invention. Huang teaches a photo booth/kiosk with an image merging feature (abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the photo merging feature taught by Huang into the in-flight entertainment photo editing software taught by Brady in view of Furon and Frey for the benefit of allowing a user to fully manipulate available images to his liking.

9. Claims 10-13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brady Jr. et al (US 7,114,171 B2) in view of Furon et al (US 2002/0078458 A1),

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Frey et al (US 6,369,908 B1), and further in view of Weinberger et al (US 6,813,777 B1).

Regarding claim 10, when read in light of claim 1, Brady in view of Furon and Frey teaches a vehicle seat in accordance with claim 1, further comprising a camera operatively connected to said processor (Brady's LRU) for providing digital input to the processor (Brady column 12 lines 44-46 disclose an input camera coupled to a audio/video controller. Column 10 lines 55-57 state the video controller is included in the LRU), whereby a passenger can edit digital images (see analysis of claim 1).

While it is conventional for a photo kiosk to have a camera positioned for taking pictures of the user (see Frey col. 1 ll. 28-37), and Furon teaches kiosk photos may come from a camera (sect. 0019), none of these references disclose mounting a camera on a seat frame.

Weinberger teaches a camera mounted adjacent to a seat display that views the passenger (col. 11 ll. 14-16). It would have been obvious to one of ordinary skill in the art at the time the invention was made to mount a camera to a seat where it can view a passenger for the benefit of capturing images of a passenger for providing amenities such as teleconferencing abilities to passengers (col. 11 ll. 14-16). Further, it would have been obvious to utilize such a camera for the mobile photo kiosk taught by Furon for the benefit of providing the known kiosk function of capturing live personal images.

Regarding claim 11, limitation “wherein the digital camera is mounted on the rear surface of the seat back for recording images of behind the vehicle seat” is further met by the combination of Brady in view of Furon and Weinberger. Weinberger teaches a camera mounted adjacent to a set display that views the passenger (col. 11 ll. 14-16) and Brady teaches the display is on the back of a seat.

Regarding claim 12, Brady in view of Furon teaches a vehicle seat in accordance with claim 1.

Brady in view of Furon does not teach a control device operatively connected to said processor for controlling operation of said processor.

Weinberger teaches a control device (figure 7d, on sheet 8 of the drawings) operatively connected to said processor for controlling operation of said processor (column 31 lines 43-49, where the audio-video unit Weinberger’s controller interfaces with is analogous to the audio/video controller that Brady discloses as part of his LRU in column 10 lines 55-59 of his disclosure). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system taught by Brady to incorporate the remote controller taught by Weinberger for the benefit of a more convenient and comfortable control device for the user that would eliminate the need for the user to reach for a control interface situated farther away.

Regarding claim 13, when read in light of claim 12, Weinberger further teaches said control device comprises a remote control device (fig. 7d, on sheet 8 of the drawings) operatively connected to said processor by an electromagnetic signal (column 31 lines 43-64, where the audio-video unit Weinberger's controller interfaces with is analogous to the audio/video controller that Brady discloses as part of his LRU in column 10 lines 55-59 of his disclosure).

Regarding claim 17, when read in light of claim 1, Weinberger further teaches a processor operatively connectable to a transmitter for sending information output by the processor to a location remote from the vehicle. Weinberger teaches an in-flight entertainment system that allows voice and data communication between passengers on-board an aircraft and people and computers on the ground (Col. 7 ll. 13-21). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the capabilities taught by Weinberger with the in-flight entertainment system taught by Brady in view of Furon for the benefit of allowing passengers to communicate with friends, family members, or business associates while on a flight.

6. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brady Jr. et al (US 7,114,171 B2) in view of Furon et al (US 2002/0078458 A1) and Frey et al

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(US 6,369,908 B1), Brunner JR (US 2002/0067424), and further in view of Huang et al (US 5,696,995).

Regarding claim 21, when read in light of claim 18, Brady in view of Furon, Frey, and Brunner teaches the vehicle seat of claim 18, wherein the image editing software allows for adding text to images (Frey col. 4 ll. 1-14)

Brady in view of Furon, Frey, and Brunner does not teach merging of images.

Although the image editing software taught by Furon and Frey does not teach a photo kiosk feature to merge images, photo kiosk software with the ability to merge images was known prior to applicant's invention. Huang teaches a photo booth/kiosk with an image merging feature (abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the photo merging feature taught by Huang into the in-flight entertainment photo editing software taught by Brady in view of Furon and Frey for the benefit of allowing a user to fully manipulate available images to his liking.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASMINE STOKELY-COLLINS whose telephone number is (571) 270-3459. The examiner can normally be reached on M-F 9:30-5:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Koenig can be reached on (571) 272-7296. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jasmine Stokely-Collins/
Examiner, Art Unit 2423

/Andrew Y Koenig/
Supervisory Patent Examiner, Art Unit 2423